

Remarks

Upon entry of the foregoing amendment, the claims are amended as follows:

Claims 1-29 have been cancelled without prejudice or disclaimer of the subject matter encompassed thereby.

Claims 30 and 36 have been amended to clarify the subject matter thereof.

Claims 31 and 37 have been amended to provide appropriate antecedent basis for the terms contained therein.

New claims 40 to 46 have been added to describe further aspects of the present invention.

These changes are believed to introduce no new matter, and their entry is respectfully requested.

Rejections Under 35 U.S.C. §102(b)

Claim 14 was rejected under 35 USC 102(b) as being allegedly anticipated by U.S. Patent No. 5,335,792 to Hauch. Claim 14 has been cancelled. This ground of rejection is thereby rendered moot.¹

Claims 30 to 33 and 36 to 39 were rejected under 35 USC 102(b) as being allegedly anticipated by Caskey (US Patent 5,163,565). This ground of rejection is respectfully traversed for at least the following reasons.

It is well settled that a rejection under §102 for anticipation requires that a single reference teach each and every element of the rejected claim (*Atlas Powder v. E.I. DuPont*, 750 F.2d 1569 (224 USPQ 409)(Fed. Cir. 1984)). Applicant respectfully submits that the examiner's rejection under §102 in this case fails to meet this test.

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Claim 14 was also objected to. The cancellation of claim 14 renders the objection moot.

Applicants' invention of claims 30 and 36 includes an indent cylinder including a sheet of material forming an outer solid wall, the sheet of material wrapped and releasably secured into a cylindrical form. Caskey does not disclose such a configuration of sheet material forming an outer solid wall. In particular, Caskey mentions only that the wall of the drum may be formed of rolled steel. No mention is made as to how the wall is formed or mounted. In particular, it is submitted that Caskey is not concerned with the mode of installing the wall. Instead Caskey is concerned with the formation of the ledges and grooves. For example, the disclosure concerning the use of bolts, noted by the Examiner at column 5, line 27, is with reference to the mode of connecting the ledges/grooves to the drum wall, not to a mode of forming the drum wall.

Since Caskey does not teach all of the elements of claims 30 and 36, these claims and their dependent claims 31 to 33 and 37 to 39, respectively, are clearly not anticipated by this reference.

New claims 40 - 46 are patentable over Caskey for at least the same reasons as set forth above with respect to claims 30 - 33 and 36 - 39.

Rejection Under 35 U.S.C. §103(a)

Claims 23 - 26 have been rejected under 35 U.S.C. §103(a) as being allegedly obvious over Hauch in view of Caskey. Claims 23 - 26 have been cancelled by the foregoing amendments. This rejection is thus rendered moot.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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